REMARKS

Status of the Application

Claims 1-14 are the claims that have been examined in the instant application. Claim 14 stands rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claim 10 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1, 2, 5-8 and 12-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Matsui et al. (U.S. Pat. App. Pub. No. 2003/0128273). Claims 3, 4, 9 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui and further in view of Onda (U.S. 5,719,954). Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui in view of Aucsmith (U.S. 6,873,723) and Onda. Claims 4 and 6 are objected to as being of improper dependent form.

By this Amendment, Applicants are amending claims 1, 10, 13 and 14, are canceling claims 4 and 6, and are adding new claims 15-19.

Preliminary Matters

Applicants thank the Examiner for acknowledging Applicants' claim to foreign priority under 35 U.S.C. § 119, as well as receipt of the certified copy of the priority document.

Applicants further thank the Examiner for indicating that the drawings filed September 24, 2003 have been accepted.

Specification

Claims 4 and 6 are objected to under 37 C.F.R. § 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant hereby cancels claims 4 and 6. Withdrawal of the objection is thus respectfully requested.

Claim Rejections - 35 U.S.C. § 101

Claim 14 is rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Applicants hereby amend claim 14 to cure the noted deficiency. Withdrawal of the rejection is hereby respectfully requested.

Claim Rejections - 35 U.S.C. § 112

Claim 10 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants hereby amend claim 10 to cure the noted deficiency. Withdrawal of the rejection is hereby respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 2, 5-8 and 12-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Matsui et al. (U.S. Publication No. 2003/0128273).

Claim 1 recites, in part, "a processing unit which, ..., performs a process of reducing a difference other than a geometric difference between image structures corresponding to the parallax of both eyes." The Examiner alleges that Matsui discloses all of the elements of claim 1, citing the third embodiment of the reference, shown in FIGS. 16-19, and the description thereof. Applicants would respectfully disagree.

Matsui discloses a stereoscopic video processing apparatus in which stereoscopic video data is taken by a pair of cameras spaced apart as left-eye/right-eye data. The video data is processed by the apparatus such that the video data has the same brightness. However, Matsui fails to disclose that the brightness is a result of reducing a difference *corresponding to the parallax of both eyes.* The brightness correction in Matsui is determined by comparing the luminescence information of corresponding portions of the stereoscopic video data, and the lightness of one or both of the video data is corrected using a correction amount. However, the brightness correction of the video data is not a correction based on image structures corresponding to the parallax of both eyes. The brightness of video data representing left-eye/right-eye data would be identical, as a parallax of the left-eye/right-eye would not result in substantially different brightness due the relative proximity of the left-eye/right-eye on a human being. Thus, Matsui fails to describe reducing a difference other than a geometric difference between image structures *corresponding to the parallax of both eyes.*

Further, Matsui describes that different video data inputted from a plurality of cameras generates one output video data with a noise correction. On the other hand, claim 1 recites "an image apparatus ... reducing a difference of at least one of a pair of images other than a

geometric difference between image structures corresponding to the parallax of both eyes." In other words, the pair of images is not synthesized to one image, as is disclosed in Matsui. Therefore, claim 1 is patentable over the applied art.

Claims 2, 5-8 and 12 are patentable at least by virtue of their dependency from claim 1. Claims 13 and 14 recite similar limitations to claim 1, and are patentable for reasons analogous thereto.

Claim Rejections - 35 U.S.C. § 103

A. Claims 3, 4, 9 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui et al. in view of Onda (U.S. patent No. 5,719,954).

Claims 3, 9 and 11 are dependent from claim 1. Therefore, because Matsui disclose all of the limitations of claim 1, and because Onda fails to cure the defects noted in Matsui with respect to claim 1, claims 3, 9 and 11 are patentable at least by virtue of their dependency.

Claim 3 is patentable for reasons independent of its dependency. Claim 3 recites, "wherein the difference ... is a difference between noise components superposed on the pair of images." The Examiner alleges that Onda discloses this aspect of claim 3. The noise components taught in Onda are FIG. 3 and FIG. 5A of Onda. Specifically, the Examiner alleges that the smoothing performed in operation S7 of Onda represents the difference of the noise components. Applicants respectfully disagree. In the instant invention, an average noise is determined from the pair of images, and the average noise is used to correct both of the pair of images. See new claim 15. Onda, on the other hand, teaches that the smoothing of image data

for each image occurs independently of the smoothing of the image data for the other image. Thus, Onda fails to disclose that the difference is a difference between noise components superposed on the pair of images as claimed in claim 3.

B. Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui et al. in view of Aucsmith et al. (U.S. Patent No. 6,873,723) and Onda.

Claim 10 is dependent from claim 1. Therefore, because Matsui fails to disclose all of the limitations of claim 1, and because Aucsmith and Onda fail to cure the defects noted in Matsui with respect to claim 1, claim 10 is patentable at least by virtue of its dependency.

New Claims

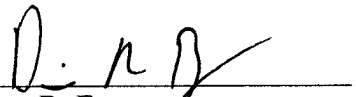
Applicants hereby add new claims 15-19. Claims 15-19 are dependent from claims 1 and 13, respectively, and are patentable at least by virtue of their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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